

REMARKS

In the Office Action, the Examiner rejected claims 1-8 and 12 were under 35 USC § 102(e), and rejected claims 9 -11 and 13-36 under 35 USC § 103(a). These rejections are fully traversed below.

Claims 1 and 12 have been amended to further clarify the subject matter regarded as the invention. Claims 1-36 remain pending in the application. Reconsideration of the application is respectfully requested based on the following remarks.

PATENTABILITY OF THE CLAIMED INVENTION

In the Office Action, the Examiner rejected claims 1-8 and 12 were under 35 USC § 102(e) as being anticipated by Ralston et al., U.S. Patent No. 6,389,454; and rejected claims 9 -11 and 13-36 under 35 USC § 103(a) as being unpatentable over Ralston et al. in view of Dean et al., U.S. Patent No. 6,167,379. These rejections are fully traversed below.

As to claim 1, Ralston et al. does not teach or suggest “(b) determining available appointment times within the time period for the service provider through use of a central appointments server having access to a central appointment database that stores calendars for various service providers....” In Ralston et al., a client can schedule an appointment but any appointment candidates are retrieved from remote schedule servers 38, 48 and 58, not the central scheduling server 80. Ralston et al., col. 5, lines 17-32. Dean et al. cannot overcome this defect of Ralston et al. It is submitted that claim 1 is patentably distinct from Ralston et al. and/or Dean et al.

Claim 12 pertains to a computer readable medium including computer program code performing operations similar to the operations performed by the method of claim 1. Hence, for similar reasons to those noted above with respect to claim 1, it is submitted that claim 12 is patentably distinct from Ralston et al. and/or Dean et al.

Claim 9 pertains to a method for providing an on-line appointment over a network. Among other things, claims 9 recites: “(g) updating the user’s electronic calendar with the appointment; and (h) updating an electronic calendar for the selected

one of the available service providers with the appointment.” Although the Examiner admits that Ralston et al. does not disclose such features, the Examiner relies on Dean et al. to remedy the deficiencies of Ralston et al. There is, however, no motivation to combine Dean et al. with Ralston et al. as proposed by the Examiner. Ralston et al. does not make use of calendars, and thus the updating of calendars of Dean et al. would not be useful. Further, even if the combination were appropriate, the combination would not teach or suggest providing or updating a user’s electronic calendar or an electronic calendar of a service provider with which an appointment has been scheduled. For at least these reasons, it is submitted that claim 9 is patentably distinct from Ralston et al. and/or Dean et al.

Claim 13 pertains to a computer readable medium including computer program code performing operations similar to the operations performed by the method of claim 9. Hence, for similar reasons to those noted above with respect to claim 9, it is submitted that claim 13 is patentably distinct from Ralston et al. and/or Dean et al.

Claim 14, among other things, recites: “(a) registering service providers over the global computer network to identify at least offered services, appointment hours, contact information for the registered service providers; (b) providing an on-line calendar for each of the registered service providers....” However, neither Ralston et al. nor Dean et al. teach or suggest these operations of claim 14. Thus, it is submitted that claim 14 is patentably distinct from Ralston et al. and/or Dean et al.

Claim 20, among other things, recites: “said appointment server and said appointment database together provide storage and access for calendars of the users and provide assistance to users to request appointments and thereafter permit confirmation the appointments.” Neither Ralston et al. nor Dean et al. teach or suggest providing storage and access to calendars of various users and to enable users to request appointments and have such appointments confirmed. It is submitted that claim 20 is patentably distinct from Ralston et al. and/or Dean et al.

Claim 25, among other things, recites “maintaining on-line calendars for the registered users, the on-line calendars including scheduled appointments or events for the respective registered user....” Neither Ralston et al. nor Dean et al. teach or suggest maintaining on-line calendars for registered users, with the calendars including

scheduled appointments or events for the respective registered users. It is submitted that claim 25 is patentably distinct from Ralston et al. and/or Dean et al.

Claim 29, among other things, recites: "registering service providers for on-line appointments over the global computer network, said registering providing appointment availability information for the registered service providers...." Neither Ralston et al. nor Dean et al. teach or suggest such registration of service providers with their appointment availability. It is submitted that claim 29 is patentably distinct from Ralston et al. and/or Dean et al.

Based on the foregoing, it is submitted that claims 1, 9, 12, 13, 14, 20, 25 and 29 are patentably distinct from Ralston et al. and/or Dean et al. In addition, it is submitted that dependent claims 2-8, 10, 11, 15-19, 21-24, 26-28 and 30-36 are also patentably distinct for at least the same reasons. The additional limitations recited in the independent claims or the dependent claims are not further discussed as the above discussed limitations are clearly sufficient to distinguish the claimed invention from 1-36. Thus, it is respectfully requested that the Examiner withdraw the rejection of claims 1-36 under 35 USC §§ 102(e), 103(a).

SUMMARY


It is submitted that claims 1-36 are patentably distinct from the cited references. Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any

further fee required in connection with the filing of this Amendment is to be charged to
Deposit Account No. 500388 (Order No. ACC1P001).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP


C. Douglass Thomas
Registration No. 32,947

P.O. Box 778
Berkeley, CA 94704-0778
(650) 961-8300

IN THE CLAIMS:

(Claims 1 and 9 have been amended as shown.)

1. (Once Amended) A method for providing an on-line appointment between a user and a service provider over a network, said method comprising:

(a) receiving a request for appointment availability of the service provider during a time period;

(b) determining available appointment times within the time period for the service provider through use of a central appointments server having access to a central appointment database that stores calendars for various service providers;

(c) transmitting the available appointment times to the user;

(d) receiving a selected appointment time from the available appointment times; and

(e) setting the on-line appointment between the user and the service provider at the selected appointment time.

12. (Once Amended) A computer readable medium including computer code for providing an on-line appointment between a user and a service provider over a network, said computer readable medium comprising:

computer program code for receiving a request for appointment availability of the service provider;

computer program code for determining available appointment slots for the service provider through use of a central appointments server having access to a central appointment database that stores calendars for various service providers;

computer program code for transmitting the available appointment slots to the user;

computer program code for receiving a selected appointment slot from the available appointment slots; and

computer program code for setting the on-line appointment between the user and the service provider at the selected appointment slot.